

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

EDWARD LONDON,

Plaintiff,

v.

CHARLES DANIELS, *et al.*,

Defendants.

Case No. 3:20-CV-00284-MMD-CLB

**ORDER DENYING MOTION FOR ORDER
TO SHOW CAUSE**

[ECF No. 30]

Before the Court is Defendants' motion requesting an order to show cause as to why Plaintiff should not be sanctioned for failing to answer discovery as ordered by the Court on May 12, 2022. (ECF No. 29.) While the motion seems to suggest case terminating sanctions are appropriate, the motion does not specifically explain what sanction the Court should be considering under the circumstances nor does this motion set forth what legal standard the Court should rely upon in this circumstance or any other legal basis for imposing any type of sanction. The Court denies the motion.

Plaintiff is a *pro se* litigant, who is proceeding without the benefit of counsel. Although Plaintiff is required to follow the rules of the Court and the Court's orders, the Court also gives *pro se* litigants some leniency in their conduct during litigation. This case and this circumstance is no exception. Thus, the Court *sua sponte* grants Plaintiff an additional 14 days from the date of this order, or until June 22, 2022, to respond to Defendants' discovery requests as previously ordered by ECF No. 29. However, the Court cautions Plaintiff that if he again fails to provide responses as directed by this Order, he may be subject to discovery sanctions, up to and including case terminating sanctions.

In the event Plaintiff does not comply with this order, Defendants are directed to file a properly supported motion for discovery sanctions – not simply a motion for an order to show cause. Any motion for discovery sanctions shall *specifically* set forth the legal standard(s) for the sanctions requested, what specific sanction Defendants seek, and the legal authorities for imposing such sanctions. A motion for an order to show cause will not

1 suffice for the Court to impose discovery sanctions in this or any future case in which a
2 discovery sanction is sought. Moreover, Defendants are further advised that even if
3 Plaintiff fails to respond with his discovery responses, dispositive motions are due on or
4 before July 7, 2022 and a motion for discovery sanctions does not replace a dispositive
5 motion nor will the Court extend the dispositive motion deadline any further based on this
6 discovery dispute.

7 Accordingly, **IT IS ORDERED** that Defendants' Motion for an Order to Show
8 Cause, ECF No. 30, is **DENIED**.

9 **IT IS FURTHER ORDERED** that Plaintiff shall provided responses to Defendants'
10 outstanding discovery requests as previously directed by the Court's Order, ECF No. 29,
11 on or before **June 22, 2022**.

12 **IT IS SO ORDERED.**

13 **DATED:** June 8, 2022.

14 
15 **UNITED STATES MAGISTRATE JUDGE**